

WIFE ASSAULT:

It is a crime.

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## WIFE ASSAULT CONCERNS US ALL . . .

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Behind closed doors in Ontario, a crime is being committed. One woman in ten is being slapped, pushed, punched, scratched, kicked, bitten or threatened by her husband or partner. This is called wife assault. It's happening in rich and poor families, families from every cultural and educational background. Because wife assault usually happens at home, people tend to think of it as a family affair. But wife assault is *not* a private matter. Assault is a *crime*, whether it happens on the street or in the home. As a community, we should all be concerned.

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## WHO'S REALLY GETTING HURT?

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### *Women*

Many women live in constant fear for their lives. Frequently they require medical attention. Sometimes their injuries result in death.

With some, the emotional damage strikes deeper than the physical. They feel ashamed and alone, trapped and helpless. These kinds of feelings can lead to medical problems. Some women become severely depressed. Others develop alcohol or drug dependencies. Some become suicidal.

## *Children*

The lives of children can be profoundly damaged by parental violence. Seeing their mother slapped or belittled makes children feel guilty, frightened and confused. Many develop emotional and behavioural problems. They lose trust in people. Their school-work suffers. Often they get into trouble with the law. Children can become withdrawn and passive, or disobedient, destructive and aggressive.

Because children learn from their parents, many grow up to become batterers or victims themselves.

## *Men*

Abusive men are also hurt by their own behaviour. Family life is important to most of them. Yet their continued violence can break up the home and cause them to lose what they value most: their families.

Men who batter may also be convicted of committing a criminal offence. As a result, they will be subject to an appropriate penalty.

## *Society*

Society as a whole is damaged by wife assault because:

- wife assault undermines families and, if the violence continues, may result in family breakup;
- wife assault is a leading cause of homicide in this country;
- wife assault tends to continue from one generation to the next. Seventy-five per cent of men who assault their wives witnessed their own fathers assaulting their mothers;
- wife assault is strongly linked to juvenile delinquency and adult criminality.

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## **WIFE ASSAULT IS A CRIME**

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To harm or threaten to harm another person is against the law. Harming a wife or partner is just as much a crime as harming a stranger.

When police in Ontario have reason to believe a crime has been committed, they will lay charges. This means it is not the responsibility of the victim to lay charges but the *duty of the police*.

Once police lay a charge it cannot be withdrawn, except by a crown attorney in court.



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## WHAT HAPPENS WHEN CHARGES ARE LAID?

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When charges are laid against a man who assaults, he is made accountable for his actions. Recent studies show that *laying charges reduces, and in many cases, stops the violence.*

The penalty for assault, if it's a first conviction, will normally be a fine or a probation order. Counselling to help the batterer change his behaviour can be imposed as a condition of probation. A victim who feels that counselling, or some other probation requirement, would be advisable should inform the crown attorney.

If the assault results in severe injury, or if the violence continues and a batterer returns to court on a similar charge, he may be sent to jail.

### *Help for assaulted women*

A woman who has been assaulted by her husband or partner should know:

- help is available. In an emergency she should call the police. For other crisis assistance, she can call a women's shelter, a counselling agency or distress line, or her own doctor;
- she has the right to expert legal advice. If she can't afford a lawyer she can still get legal help by applying for legal aid. Legal aid offices can be found in the white pages of the phone book under Legal Aid;
- leaving her home because of violence will not be seen as desertion. She does not lose any of her rights to custody of the children or to her home and property, and she may be given priority for subsidized housing.

*An assaulted immigrant woman should know:*

- she has the right to the same help and services as all women.
- a landed immigrant will not be deported if she leaves her husband because of his violence, even if he sponsored her. A woman without permanent status should get legal advice about her options.
- her husband or partner will not be subject to deportation for domestic violence, unless his acts are extremely violent and result in a criminal conviction with a severe penalty.

*Help for the man who batters*

The man who batters his wife or partner should not wait until he is arrested to get help. In most cases, battering is behaviour a man learns, usually while still a child. He can change that behaviour. He should take responsibility for his actions and seek counselling. The best way to start is through his family doctor or through a social service agency.

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## HOW CAN I HELP?

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You may know a woman in an abusive situation. She may be a relative, a fellow-worker, a friend or a neighbour. Talk to her. Tell her that it is dangerous to do nothing about violence. For her own safety and the safety of her children she should seek advice. Remind her that doctors, police officers, shelter workers, and other professionals are there to help.

If you see or hear a situation in the home of a friend or neighbour where a woman is being assaulted, don't ignore it. She is the victim of a crime. You can call the police.

If you know an abusive man, tell him that he is responsible for his own actions. Only *he* can change his behaviour. Without this change he risks losing his family, his good name, perhaps even his freedom. Counselling can help.

Children from violent homes need to know they are not to blame for the violence. Parents may not understand how much the violence is damaging their children. Encourage violent parents first of all to change their behaviour, and also to get help for their children if they need it.

Remember, closed doors haven't kept this problem from spreading. As long as we treat it as a family affair, wife assault will continue. By seeing it for what it is – a crime – we take responsibility as a community for stopping the violence.

*Wife assault: It is a crime!!*

For emergency assistance or referral, see your local telephone directory under *Wife Assault Helpline*.

For general information on the issue of wife assault, contact:

Wife Assault  
Ontario Women's Directorate  
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Toronto, Ontario  
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Ontario

Hon. Gregory Sorbara  
Minister Responsible  
For Women's Issues

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